

August 2, 2021

The meeting of the Little Creek Town Board was called to order at 7:07 pm by Mayor Glenn Gauvry. Two Commissioners were present, Judy Hegman, Theresa May and 3 townspeople, Carol Williams, Bill Clark, and Doug Hegman.

The minutes of previous meeting were accepted in written form and a motion was made by Judy and seconded by Theresa to accept the minutes. See note below under OLD BUSINESS concerning mailing of letters to problem properties not being mailed. Motion carried.

Judy read the Treasurer's Report and a motion was made by Theresa and seconded by Glenn to accept the Treasurer's Report. Motion carried

Judy read a list of bills. A motion was made by Glenn and seconded by Theresa to pay all bills. Motion carried

#### COMMUNICATIONS

None.

#### OLD BUSINESS

Nothing from guy who lives in Grow house about taxes. Lawyers office is no help. Sent certified letters to address we have and have received nothing. Owes \$600+ in taxes. Send letter to Solicitor, Barrett Edwards, and let them serve them, will cost us \$85. Has done everything we have asked him to do.

Due to computer issues Theresa did not get letters sent out to the people/properties who were identified. Had to get new printer and taking a course, only 7 weeks long. Walked around herself and took pictures of what we want sidewalks to look like. Send out a letter that is the same for everyone and what Town's expectations are, what we expect to be improved, for example, more people coming into Town, now that Grill open getting more foot traffic, which is what we want. Also have noticed that just not the condition of the sidewalks the fact they put trash cans out and block the sidewalk and you have no choice but to either go in the road or go onto their lawn. So that is a problem, if Board agrees that is appropriate and OK would like permission to send something out to everyone showing pictures of what Town explaining what sidewalks should look like. Do not need to send to north end of Town they have no sidewalks there. Glenn agrees with what is proposed. As to the "WHY" noticeable difference visually when travelling through Town, one way or the other, between those who take care of their curbs and sidewalks and those who haven't and a few stretches where they haven't and it looks quite bad. So add it doesn't make our Town looks its best visually. Curbs are included in that sidewalk; quite a few people have weeds/grass growing between the street and the curb. She totally agrees and noticed that too was writing down house numbers and still trying to learn who lives where and addresses.

Looking at Kent County mapping for numbers and names associated and list of addresses for trying to contact people. Did notice and took pictures of what it should look like, don't think people realize that the curb is part of their property, even though they may not have put the sidewalk or curb in if it is in front of their property they are still responsible for it. Just wanted to make sure it was laid out there. Another question when we have people who are renting who does it fall on, the person who owns the house or if there is an agreement for the renters to be taking care of the lawn, then it would fall on the renters? Send letter to the owner and in the letter can state that they are responsible for this and/or your delegate. If they delegate the responsibility to the renter then they can get on the renter because the property owner will be the one getting the fine. Ultimately it is the property owners' responsibility if they have an agreement with the renters it is the owner's responsibility to let them know they have to do so.

There are a couple pieces of property at the south end of Town, east side of the street, that are commercial, but they have sidewalks, and Cavaliers are doing theirs but other property owners are not. There is a sidewalk that goes all the way to the bridge. We should not be excluding them, going after them for other stuff too. Giving all those people down there a pass, because nothing was being built or down, but starting to turn that corner with the Cavaliers property and we should continue to do that with what we have planned for down there. Send them the same sidewalk notice too, it would only be fair.

We're into August now and these people have been being told about their yards since May. Assuming that the ones who have done nothing will probably continue to do nothing, even with this letter. Would like this letter to serve as the final notice, not the beginning of 3 more letters. Pick a date that is reasonable and fair and after that date they will be subject to fines which will accumulate, spell out how they will accumulate, that way they can get the other letters, but additional letters will just show the accumulation of fines, and at some point we can turn that over to our Solicitor and he can deal with it. Clarification if homeowners cannot put trash cans on the sidewalk where can they be put? On the pavement on the street in front of their house? There are some grassy places which are along the curb and not on the street where you would park. There is area between the sidewalk in a lot of these cases and the curb where things could be set. Walked around with a notebook indicating side of the street and house numbers wrote what she could and looked up on Kent County map.

Glenn talked with person from DNREC who is working with League of Local Governments and wanted to know if Town would be interested in joining. Told her it was a good bit of money and didn't feel we would directly benefit from it, even though we recognize they do a good bit of work and other communities do benefit from it. She asked and Glenn is asking if Town could do \$250, which isn't very much considering what they are asking, to join them. Glenn told her he would bring it up at Town Board Meeting. Ok with joining for \$250 but not for the \$500. They do do good work and they are there for us if we need what we do. Sent Glenn a list of motions and bills that were passed in the legislature as a result of them for small towns. Since they do represent small Towns if there is an issue that needs to be raised to our Legislature to pass or have a bill written they tend to be behind writing or pushing that bill, some of the things they do.

Town used to be member, but all they did was dinner and drinks, which they still do. Told her that we were disappointed with the way things played out regarding the stimulus money and that we like to see something done with that, at least getting clarity of what we can do with the money. He knows she will ask again and most Towns in Delaware do belong. Bill talked to fellow who had been the head of the League of Local Governments, 2 or 2 1/2 years ago, about problems Little Creek and the other small towns have with the State Law that requires all those mashinations we have to have like Town Engineer, Chief of Police, all these things that are really out of reach. Talked to him about their group proposing some kind of legislation with the Delaware legislature to abolish that or amend it somehow to facilitate the abilities of small Towns to comply with the spirit of that law. As a retired attorney, not licensed to practice in Delaware, it bothers him that we are unable to meet these requirements and he does not know what the answer is. But it seems that all the small Towns in Delaware that have to comply with that State Law they are just operating as a barrel. They are the group that needs to enact some legislation to make things right. The person that Bill talked to just did a song and dance for the 15-20 minutes Bill talked to him and he was basically no help. Maybe the new person, for that organization, may she can help make a change. This is the primary thing and unless they do something for Little Creek along those lines not sure we are going to get anything out of that group. Legislation had to do with the Land Development Ordinances, having to have a Board of Appeals. Nothing outside of the Land Development Ordinances. Three or four things we talked with Solicitor about. Jennifer working on the revised Land Development Ordinances. Glenn will get back to her and let her know when they are able to make a motion or get a bill on the floor having to deal with that issue then let the Town know and we would be happy to join. Jennifer would have a lot of input into what kind of statutory changes would need to be made, she is dealing with these problems in Little Creek and she has probably come across the same issues in other small towns in Delaware. She would be an excellent point person. Glenn will ask her and let them know we would be open to joining when they address this issue. That seems to be the outstanding issue on our plate that no one wants to take up. Theresa said we should have everybody to be available for a vote as to if Town should join. Excellent point.

County did get back to Glenn on Bailey property. He's been cooperative. Sent 3 or 4 people at the same time. Right now most the vehicles are registered and proper. The RV, from the code we have in agreement with the County, is not in violation since it is registered and licensed, and if there was a flood in terms of FEMA he could drive it away. Whether he is allowed to be staying in it or parking it on the front lawn that falls more into our code than the County's so we have to look into that and see what it says. Trailer in the back they told him he had to get rid of that and a lot of metal around the yard. Will be cleaning up the metal and putting it into the trailer and selling that to a junker for the whole thing. Right now working with the County so let's see what it looks like after he's done working with the County. Then we'll figure out what the next steps are. So at least there is movement now if he would clean his sidewalks along with his neighbors, on either side, that would go a long way to make it look like something is being changed there. Sidewalks on either side of street, Bailey, Rinehart, Rice and down by Post Office, Sam Gentry and all the way down about 5 houses all look pretty bad.

Scott has bought the Rinehart property, next to Bailey. He will be tearing it down and will have a big yard. Said house was not worth redoing.

Ditch in front of Theresa's house. Neighbor has taken it upon himself to excavate the ditch. Did a lot of work, Adrienne's yard floods every time there is a heavy rain, Theresa's yard not so much, but Adrienne's and road wash out, goes straight to her yard. Glenn shared piping diagrams for area, thought pipe might need to be opened to let water drain. Thought pipe didn't go anywhere, but pipe goes underneath part of the land Theresa's neighbor lives on, Johnson, and found it will go into pipe, but dead ends and perks up. Less pudding around corner, which only goes to show if ditches working properly that would be some of solution to the problem. Glenn approached Alan Angel and informed him something terribly wrong when homeowner working on ditch not in Town to mitigate a flooding problem that should be handled by the County. Trying to do to Glenn what they have been doing for years, deny it is a tax ditch and it's their responsibility and push it off to DNREC. Angel said they think told him Town does not want this anymore. Told Angel that the County needs to say that it is not a tax ditch and not their responsibility, wants a definitive answer with no wiggle room no I think a definitive answer, and that way Glenn can go to DNREC and say I've already done this with the County. They flip back and forth and over time nothing gets done. If it is the County they can send a crew out and start working on getting something done. Sent the information to Duffield, who is in the process of doing the storm water assessment. Only on north end of Town not the South part yet. As they bump into the right people they are passing certain information along to them or Glenn about certain things. Glenn passed this information along to them. They are going to be digging up information on ditch by Sam, which is the upper part of Town, and as they dig into that, if they find out through their digging it is the County, the ditch goes all the way to Lowe Street, which is the County. Passed the information along to them. Theresa thanked Glenn for reaching out to Alan Angel about issue, which has been going on for a very long time.

He asked Glenn if he wanted to join a committee he needed to fill rather quickly for re-districting, Glenn has no idea how to do that, but asked if he would serve and he agreed. Hopefully that will allow Glenn to keep a fire under the County for issues we want them to stay on top of for us.

Whitmore property – Joe Petrolis family interested in buying. He is working on that.

Tow Yard – Glenn talked to Kyle – nothing to report yet. Judge hasn't made a ruling yet. Thought by end of July, hope to hear from soon.

Land development ordinance – Bill and Glenn working with U of D team. Reviewing drafts and making notes and incorporating notes from Bill and Glenn. Did an impressive amount of work for Town. One more pass to look over. Sent Glenn a note with some questions, making final changes then coming to Town to vote on. Stressed importance to Joe that he looks at it to see if it meets what he thinks he's doing with his area. Once this is passed, whether he likes it or not,

he's going to have to expand in accordance with the Land Development Ordinance we have spent so much time putting together. He asked for a copy of the whole thing, 111 pages, so Glenn gave him the copy that has all the red notes on it so he could see what has been done. Have not heard back from him on it so maybe he is looking at it.

Stimulus money – has to go to nonprofit. Once we have clarity maybe there is something we can do to keep the community safe. Doing something in our Town Hall make it more conducive in keeping it more sanitized pandemic type situations or relaxed masks type situations. If we're creative might be able to find something's in Town that we can use the money for that benefit the Town that we might not have thought to use the money towards but because we can't put the money towards anything else – why not. Once we get that clarity, on nonprofits, unless it stipulates, doubt that it does, that it has to be a nonprofit in our Town, we could just piggyback on someone else's nonprofit. So if there is a nonprofit organization in Dover for example that is doing work under the stimulus package for Dover reach out to them and see if they could do the same thing for us. Thinking about the dog park may be some things we can do. Dogs keep digging holes. People keep taking pumps apart. Doug has had to rebuild both pumps. Taking pump handle and lifting it off the seat and Doug has to get wrench out and undo the bolt tighten it up as good as he can. Happened on both sides. Not sure why they are doing it. Water was running into one of the holes the dogs had dug and it was filled in and put bricks on top of it. Bricks are a temporary fix. Would be nice if we could get Brick Doctor to come back and do more work, pay them this time. If we could use it for the part that would be wonderful. We have it and it is setting there, when we get more clarity then determines what to do. Not sure if wildlife conservation is what they had in mind for a nonprofit. Find piggyback on whoever Dover is using to extend that money that Dover's got. They got a considerable amount of money. Playground – talk to Alan Angel, not sure if Levy Court is considered a nonprofit. They would know how to do it. When we got the money we were told to contact our Solicitor before we do anything. Once we get it clear and some people have been reprimanded we can say OK then we can take that with what we have in mind to our Solicitor. Barrett Edwards is with, Hudson, Jones, Jaywork and Fisher.

When Theresa gets ready to do mass mailing wants to know what to do about stamps. Won't need books and books of stamps. Judy will buy a roll of stamps 100 stamps. Getting ready to do and get done. Has to get receipts to Judy. Notices are being sent to people on Main Street, where it is most noticeable. Not just the grass and the appearance, but we have a lot of areas where the sidewalk is cracked and uneven and has the potential for people to trip and stumble, some serious things we are going to have to look at. Also not conducive for people with wheel chairs or motorized vehicles. Technically sidewalks are the homeowner's responsibility. Rep. Carson said he would do out sidewalks but have been using him for other things, getting \$24,900 for the hydrology study.

House behind Bucky, Letterman, he's thinking of buying home. Get Bucky phone number so he can call him. Since Theresa was in contact with him via phone, has not sent out certified letter however, not been able to get a hold of him, not his fault/ Plan on reaching out to him letting

him know it would be good to have in writing exactly what his intentions are since not exactly sure how long this will take. Will let him know sending out certified letter going over what we have talked about and asking him to write back a reply stating what his intentions are. In meantime will give Bucky his phone number. He would like the land and grass is out of control. Theresa will let him know she needs something from him stating his intentions. Was supposed to be calling with updates and he hasn't done that.

Once we get sidewalks and curbs looking good, Glenn will go to Rep. Carson again about sidewalks. But have to clean that up first to make them look good. Even though sidewalks homeowners' responsibility try not to put it on them and see if Rep. Carson can help. Easier sell if we show what we have done. If we can get everything looking nice, except where heaved or cracked, that is what we would go to Rep. Carson for to get Community Transportation Funds to fix sidewalks through Town. He promised many years ago he would do, but have been going to him for one big thing after another so never got back with him. Now get everything looking nice and pretty before we go to him to help fix structural problems with sidewalks. The usually have to dig up whole panel and trash and pour new section a couple hundred dollars for a new section. Have a few thousand dollars to replace. Get everything looking nice and pretty before we go to Rep. Carson.

Judy has talked to Mortgage companies and cannot add renter's fee onto bill. Only covers mortgage. Renter's fee is a separate bill we have to send to them.

Sidewalks by Post Office. Is the Town, Mike is to do those. No problems with sidewalks that is what Theresa was taking pictures of. If not have to contact him. Cracks and heaved sidewalks, all is the responsibility of homeowner. By Dog Park is town.

#### NEW BUSINESS

None

Motion made by Judy and seconded by Theresa to adjourn at 7:58 p.m. Motion carried.

Respectfully submitted,

Penny J. Gentry  
Secretary